

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

The Examiner has rejected claims 1,5-7 and 9-12 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,240,240 to Nagano et al. in view of U.S. Patent 5,187,589 to Kono et al. and further in view of U.S. Patent 5,307,173 to Yuen et al. In addition, the Examiner has rejected claims 4, 8 and 13-20 under 35 U.S.C. 103(a) as being unpatentable over Nagano et al. in view of Kono et al.

The Nagano et al. patent discloses an apparatus and method for controlling the recording of television programs, in which a display listing is created by a user showing bars representing desired programs, where the lengths and positions of the bars represent the durations and transmission times of the desired programs.

The Kono et al. patent discloses a mulitprogram video tape recording and reproducing device, in which a time chart shows various programs as bars, the lengths and positions of the bars representing the durations and transmission times of the desired programs.

The Yuen et al. patent discloses an apparatus and method using compressed codes for television program record scheduling, in which, when adding a new program to the listing having the same

starting time as a program already in the listing, the program most recently added to the listing will be recorded first.

The Examiner has indicated that while "Nagano et al. does not disclose the overlapping and overlapped bar overlapping in position...", Kono et al. "discloses displaying programs or parts of programs overlapping in time as partially overlapping such that the length and position of an overlapping and overlapped bar still indicates the duration and time of transmission of the corresponding program (Fig. 2 - the overlapping programs still indicate the duration and time of the entire program of all conflicting programs."

Applicant submits that while Nagano et al. and Kono et al. both show overlapping bars, at least with respect to the timeline, neither Kagano et al. nor Kono et al. disclose or suggest that the bars should at least superpose in position wherein the overlapping bar has priority over the overlapped bar. This is shown in, for example, Fig. 2 of the subject application.

Based on the foregoing, the Applicant respectfully submits that independent Claims 1, 4 and 8 are patentable over Nagano et al. in view of Kono et al. and Yuen et al. Claims 5-7 and 9-20 respectively depend from one of Claims 1, 4 and 8 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of the claims.

Applicant therefore believes that the subject invention, as claimed, is not rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicant believes that this application, containing claims 1 and 4-20, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611